IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 470 of 1998

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAJENDRA MANUBHAI PATEL

Versus

VALSAD SAHAKARI KHAND UDYOG MANDLI LTD.

Appearance:

MR CB DASTOOR for Petitioner

MR BM MANGUKIYA for Respondent

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 23/07/2004

ORAL JUDGEMENT

1. In this petition the petitioner has sought a direction to the respondents to pay to the petitioner equal pay and other allowances as being paid to one Shri M.D. Patel, Shri Rathod and others.

2. Similar question has been decided by this Court

in Special Civil Application No.12923/93 and 8270/99 by order dated 30th June 2004. In the said decision it is held that the respondent cannot be held to be an agency or instrumentality of the State amendable to writ jurisdiction, nor are the claims of the petitioners substantiated on facts. In para 4 of the said decision it is held that the respondents have justified the payment of higher salary to another Chemist mainly on the grounds of his longer period of service and higher qualification.

3. In view of the above decision, there are no merits in the present petition. Learned counsel for the petitioner is unable to point out anything contrary to the said proposition. Therefore, the present petition is rejected. Rule is discharged with no order as to costs.

[K.S. JHAVERI, J.]
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